

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

FEDERICO VILLARMAN-OVIEDO,  
Petitioner,

v.

Case No. 99-cr077JAF

UNITED STATES OF AMERICA,  
Respondent. /

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SAN JUAN, P.R.

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MOTION TO EXPIDITE  
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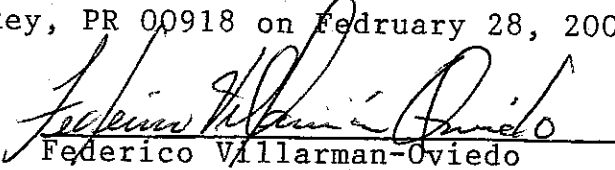
COMES NOW, Petitioner, Federico Villarman-Oviedo, requesting this Honorable Court to grant his motion to expidite the court's decision of his rule 28J letter in adding to his case the Recent Supreme Court's decision in Washington v. Blakely, 124 S. Ct. 2531 (2004). This decision affects the Petitioner's case along with two other decisions by the Supreme Court; US v. Booker, No. 04-104, (2005). US v. Fanfan, No. 04-105, (2005). The foregoing cases state that elements must be proven if brought to a jury. The amount of heroin Petitioner was convicted for was not proven, nor was admitted to by Petitioner or found in his indictment.

Therefore, Petitioner ask this Honorable Court to include these cases in his motion to expidite and to find Petitioner did not possess or conspire to more than one kilo of heroin.

CERTIFICATE OF SERVICE

I, Federico Villarman-Oviedo, certify that I have sent a copy of the foregoing motion to the US Attorney's office at Torre Chardon, Suite 1201, 350 Carlos Chardon Ave., Hato Rey, PR 00918 on February 28, 2005.

Dated: February 28, 2005

  
Federico Villarman-Oviedo  
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Coleman, FL 33521